

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PATRICIA LOWRY, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

RTI SURGICAL HOLDINGS, INC.,
CAMILLE I. FARHAT, BRIAN K.
HUTCHISON, JONATHON M. SINGER,
ROBERT P. JORDHEIM, and JOHANNES
W. LOUW,

Defendants.

No.: 20-cv-01939

Honorable Matthew F. Kennelly

JOINT STATUS REPORT

Plaintiff Patricia Lowry (“Lowry”), and Defendants RTI Surgical Holdings, Inc. (“RTI”), Camille I. Farhat, Brian K. Hutchison, Robert P. Jordheim, Johannes W. Louw, and Jonathon M. Singer, (collectively, “Defendants”), by their undersigned counsel, submit this Joint Status Report pursuant to this Court’s order of May 6, 2020 [Doc. No. 25]:

1. Nature of the case.

A: Attorneys of Record and Lead Trial Counsel for Each Party.

Counsel for each party are listed in the signature block.

B. Nature of the Claims.

This putative class action was filed in March 2020 by a purported RTI shareholder, Patricia Lowry, who asserts claims under the Securities Exchange Act of 1934 (the “’34 Act”) against RTI and certain of its current and former officers and directors (the “Securities Action”). Lowry contends that RTI’s internal controls over financial reporting were insufficient, and that certain financial reports filed by RTI contained materially inaccurate information. Lowry alleges that

when RTI's internal investigation of its revenue recognition practices was disclosed, the value of RTI's publicly traded securities declined. Plaintiff is seeking to represent a class consisting of all those who purchased or otherwise acquired RTI securities publicly traded on the NASDAQ during the period March 7, 2016 to March 16, 2020. Defendants deny these allegations and reserve all rights and defenses thereto.

2. Status of Service and Appearance: All Defendants have been served or waived service, and counsel for each defendant has filed an appearance.

3. Related Actions: On June 19, 2020, this court entered an order finding that *Summers v. Farhat, et al.*, No. 20-cv-3347, and *Campbell v. Farhat, et al.*, No. 20-cv-3464 (the "Derivative Actions"), are related to this case within the meaning of Local Rule 40.4 and requesting that the Executive Committee reassign the Derivative Actions to this Court, which the Executive Committee did shortly thereafter.

4. Pending Motions: On May 26, 2020, Ms. Rosy Yeretsian filed her motion to be appointed Lead Plaintiff on behalf of the Class, and to approve her selection of Pomerantz LLP and Roche Cyrulnik Freedman LLP as Co-Lead Counsel for the Class. [Doc. No. 26]. Defendants filed their response to the motion on June 3, 2020. [Doc. No. 27].

5. Anticipated Motions and Pleadings: Under this Court's order of May 6, 2020, within 45 after the Court enters an order appointing a Lead Plaintiff and Lead Counsel for the Class, the Lead Plaintiff shall file an amended or consolidated complaint, or notify the Defendants that Plaintiff intends to rely on the initial Class Action Complaint. [Doc. No. 25]. Defendants are required to file motions to dismiss or to otherwise respond to the complaint within 45 days thereafter. *Id.*

6. Discovery: Under the Private Securities Litigation Reform Act discovery is stayed pending the filing of a consolidated complaint and resolution of the forthcoming motions to dismiss it. 15 U.S.C. § 78u-4(b)(3)(B).

7. Possibility of Settlement: No settlement discussions have occurred. The parties do not request a settlement conference at this time.

8. Damages and Insurance: Plaintiff has not yet quantified any alleged damages to the purported class. The Defendants are insureds under director and officer insurance policies issued by several insurers.

Dated: June 29, 2020

Respectfully submitted,

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